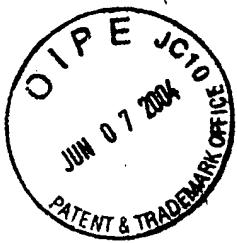


DECLARATION, POWER OF ATTORNEY, AND PETITION

We, Frieder Loesel, a citizen of Germany, having a residence and post office address of Bassermannstr. 38, 68165 Mannheim, Germany; Klaus Baumeister, a citizen of Germany, having a residence and post office address of Lerchensteige 3, 74889 Sinsheim-Adersbach, Germany; Ulrich von Pape, a citizen of Germany, having a residence and post office address of Westbahnstr.10, 76829 Landau i. d. Pfalz, Germany; and Thomas Sauter, a citizen of Germany, having a residence and post office address of Untere Neckarstr. 42, 69117 Heidelberg, Germany; verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SYSTEM AND METHOD FOR POSITIONING A PATIENT FOR LASER SURGERY, for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 10/790,625 on March 1, 2004 (We hereby authorize the attorneys of Nydegger & Associates to insert said serial number and filing date when known); that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys NEIL K. NYDEGGER, Registration No. 30,202; MATTHEW K. HILLMAN, Registration No. 45,892; and WAYNE M. CHANCELLOR, Registration No. 51,249, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

Neil K. Nydegger, Esq.  
NYDEGGER & ASSOCIATES  
348 Olive Street  
San Diego, California 92103  
Telephone: 619-688-1300  
Facsimile: 619-688-1322

Wherefore, we pray that a letters patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Heidelberg, Germany, this 23<sup>rd</sup> day of March, 2004.

Inventor

  
Frieder Loesel  
Bassermannstr. 38  
68165 Mannheim, Germany

Signed at Heidelberg, Germany, this 23<sup>rd</sup> day of March, 2004.

Inventor

  
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(Signatures continued on Page 3)

Signed at Heidelberg, Germany, this 23<sup>rd</sup> day of March, 2004.

Inventor U. v. Pape

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Signed at Heidelberg, Germany, this 23<sup>rd</sup> day of March, 2004.

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Docket: 11270.41